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Bayer Pharmaceuticals Corp. 400 Morgan Lane West Haven, CT 06516

In re Application of WOLTERING et al.

Application No.: 10/586,023 PCT No.: PCT/EP04/14871 Int. Filing: 31 December 2004

Priority Date: 14 January 2004 Attorney Docket No.: BHC 031067 For: TRICYCLIC BENZAZEPINE

DERIVATIVES AS SQUALENE SYNTHASE INHIBITORS USED FOR THE TREATMENT OF

CARDIO VASCULAR DISEASES

**DECISION ON** 

PETITION TO REVIVE

UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 17 February 2009 in the abovecaptioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b).

A review of the application file reveals that a declaration, in compliance with 37 CFR 1.497(a) and (b), has now been provided. The required petition fee of \$1640 was also paid. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is 17 February 2009.

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